

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Savage, Marshall T.

Serial No.:

Filed:

For:

Linearly Scalable Geothermic Fuel Cells

Group Art Unit:

Examiner

Attorney Docket

RM607a

Assistant Commissioner for Patents  
Washington, DC 20231

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the provisions of 37 C.F.R. §1.56 and in accordance with Applicant's duty of disclosure requirements, Applicant hereby calls to the attention of the Patent and Trademark Office the items listed on the attached Forms PTO-1449 and PTO-892 to be made of record in the above-identified application.

The citations therein were all made in the parent application, Serial No. 10/053,207 filed 01/15/2002 and now allowed. In accordance with 37 C.F.R. §1.98(d), copies of these references are not provided.

The present Information Disclosure Statement is filed within three months of the filing date and before the issue of the initial Office Action for the present application. Accordingly, no filing or petition fee is required.

Applicant presents these references so that the patent Office may, in the first instance, determine any materiality thereof to the claimed invention. See C.F.R. §§1.97(b), (c), (d), 1.104(a), and 1.106(b) concerning the PTO duty to consider and use any such art. Applicant respectfully requests that these references be expressly considered during the prosecution of this

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express mail Post Office to Addressee" service in an envelope addressed to: Assistant Commissioner for Patents, Washington DC 20231 on: 10/15/2003.

*Krista Caggiano*

application and made of record herein and appear among the "References Cited" on any patent to issue therefrom.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rick Martin", with a horizontal line extending from the end of the signature.

Date: 10-15-03

Rick Martin  
Reg. No. 32,267  
Patent Law Offices of Rick Martin, P.C.  
416 Coffman Street  
Longmont, CO 80501  
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+

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PTO/SB/08A (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	--
				Filing Date	Herewith
				First Named Inventor	Savage, M.
				Group Art Unit	--
				Examiner Name	--
Sheet	1	of	2	Attorney Docket Number	Savage1

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	<div> <div>Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear</div> <div>Class</div> <div>Sub Class</div> </div>
		Number	Kind Code <sup>2</sup> (if known)			
ZLV		2,634,961		Ljungstrom, et al.	Apr 14, 1953	
		2,914,309		Saiomonsson, et al.	Nov 24, 1959	
		2,923,535		Ljungstrom, et al.	Feb 2, 1960	
		3,113,623		Krueger	Dec 10 1963	
		4,007,786		Schlinger	Feb 15, 1977	
		4,144,935		Bridges, et al	Mar 20 1979	
		4,148,359		Laumbach, et al	Apr 10, 1979	
		4,199,025		Carpenter	Apr 22, 1980	
		4,375,302		Kalmar	Mar 1, 1983	
		4,401,162		Osborne	Aug 30, 1983	
		4,444,258		Kalmar	Apr 24, 1984	
		4,570,715		Van Meurs, et al	Feb 18, 1986	
		4,640,352		Van Meurs, et al	Feb 3, 1987	
		4,694,907		Stahl, et al	Sep 22, 1987	
		4,886,118		Van Meurs, et al	Dec 12, 1989	
		5,011,329		Nelson, et al	Apr 30, 1991	
		5,082,055		Hemsath	Jan 21, 1992	
	5,193,934		Johnson	Mar 16, 1993		
	5,236,039		Edelstein, et al	Aug 17, 1993		
	5,392,854		Vinegar, et al	Feb 28, 1995		

[illegible]

Examiner Signature	<i>C. G. Walk</i>	Date Considered	2/24/03
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	--
				Filing Date	Herewith
				First Named Inventor	Savage, M.
				Group Art Unit	--
				Examiner Name	--
Sheet	2	of	2	Attorney Docket Number	Savage1

[illegible][illegible]

Examiner	Date
Signature <i>S. Walker</i>	Considered <i>2/24/03</i>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**01**

**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

**PART OF PAPER #9**

Docket Number (Optional) <b>RM607</b>	Application Number <b>10/053,207</b>
Applicant(s) <b>Marshall T. Savage</b>	
Filing Date <b>1/15/02</b>	Group Art Unit <b>3672</b>

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
ZMF		5,255,742	10/26/93	Mikus			
		4,817,711	4/4/89	Jeambey			
		3,241,611	3/22/66	Dougan			
		3,024,013	3/6/62	Rogers			
		3,017,168	1/16/62	Carr			
		2,906,337	9/29/59	Hennig			
		2,874,777	2/24/59	Tadema			
		2,841,375	4/1/58	Salomonsson			
		2,801,089	7/30/57	Scott, Jr.			
		2,780,450	2/5/57	Ljungstrom			
	2,780,449	2/5/57	Fisher et al.				

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	<del>Stanley R. Robinson, William C. Smith, Filed: 10/8/69, 3,847,193</del>

EXAMINER <i>Z. Wall</i>	DATE CONSIDERED <i>5/22/03</i>
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<div style="text-align: center;"> <b>INFORMATION DISCLOSURE CITATION</b>  <i>(Use several sheets if necessary)</i> </div> <div style="position: absolute; top: 0; left: 0; font-size: 2em; font-weight: bold; transform: rotate(-15deg);">             01              MAY 8 2003              TRADEMARK OFFICE           </div> <div style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%); font-size: 1.5em; font-weight: bold;">             PART OF PAPER #9           </div>	ATTY DOCKET NO. <div style="text-align: center;">RM607</div>	SERIAL NO. <div style="text-align: center;">10/053,207</div>
	Marshall T. Savage	
	FILING <div style="text-align: center;">1/15/02</div>	GROUP <div style="text-align: center;">3672</div>

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<div style="font-size: 2em;">↓</div>	2,630,307	3/3/53	Martin	<div style="font-size: 4em; transform: rotate(45deg); opacity: 0.5;">X</div>	<div style="font-size: 4em; transform: rotate(45deg); opacity: 0.5;">X</div>	<div style="border: 1px solid black; padding: 5px; transform: rotate(-15deg);">             RECEIVED              MAY 8 2003              GROUP 3600           </div>	
	2,630,306	3/3/53	Evans				
	2,593,477	4/22/52	Newman et al.				
	2,472,445	6/7/49	Sprong				
	2,732,195	1/24/56	Ljungstron				
	3,954,140	5/4/76	Hendrick				
	6,056,057	5/2/00	Vinegar				
	6,183,896	2/6/01	Horita				
	6,165,632	12/26/00	Blum et al.				
<div style="font-size: 2em;">✓</div>	3,547,193	12/1970	Gill				

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			

EXAMINER <span style="font-family: cursive; font-size: 1.2em;">Z. Wala</span>	DATE CONSIDERED <span style="font-family: cursive; font-size: 1.2em;">5/22/03</span>
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Notice of References Cited**

Application/Control No.

10/053,207

Applicant(s)/Patent Under  
Reexamination  
SAVAGE, MARSHALL T.

Examiner

Zakiya N. Walker

Art Unit

3672

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	US Patent Application Publication 2002/0011335, "FUEL CELL FOR DOWNHOLE AND SUBSEA POWER SYSTEMS", 1/2002.
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
**RM607a**

In Re Application Of: **Savage, Marshall T.**

Serial No.

Filing Date

Examiner

Group Art Unit

Title: **LINEARLY SCALABLE GEOTHERMIC FUEL CELLS**

Address to:  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).



**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
RM607a

In Re Application: **Savage, Marshall T.**

Serial No.

Filing Date

Examiner

Group Art Unit

**LINEARLY SCALABLE GEOTHERMIC FUEL CELLS**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0617**  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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**\*This certificate may only be used if paying by deposit account.**

  
*Signature*

Dated: **10-15-03**

**Rick Martin** Reg. No. 32,267  
**Patent Law Offices of Rick Martin, P.C.**  
416 Coffman Street  
Longmont, CO 80501  
303-651-2177

CC:

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	Docket Number (Optional) <b>RM607a</b>	Application Number
	Applicant(s)	
	Filing Date	Group Art Unit

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,770,326	06/23/1998	Limaye			
		5,993,986	11/30/1999	Wallin et al.			
		6,051,329	04/18/2000	Fasano et al.			
		6,296,963	10/02/2001	Nanjo			
		6,344,290	02/05/2002	Bossel			
		6,372,372	04/16/2002	D'Aleo et al.			
		6,500,578	12/31/2002	Ong et al.			

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		H.E. Linden, Production of Shale Oil In Sweden, July 1948, Pages 29-34, 6 pages total

EXAMINER	DATE CONSIDERED
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For information, if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and include copy of this form with next communication to applicant.